



# DIGEST SUPPLEMENT

To Legislative Digest and History of Bills  
Supplement No. 52\*

FIFTY-NINTH LEGISLATURE

Wednesday, March 23, 2005

73rd Day - 2005 Regular

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**House Bills**

**HB 1883-S** by House Committee on Select Committee on Hood Canal (originally sponsored by Representatives McCoy, Pearson, Eickmeyer, Upthegrove and Haigh)

Providing for collection of oral histories about Hood Canal.

(AS OF HOUSE 2ND READING 3/11/05)

Finds that the factors contributing to Hood Canal's low dissolved oxygen problems are complex and that investigation is needed to understand both the problem and its potential solutions.

Finds that a historical perspective is important in understanding Hood Canal's problems.

Recognizes the tribal elders and other long-term residents of the Hood Canal area are a great source of knowledge regarding the history of Hood Canal.

Finds these tribal elders and others may provide critical insight into the history, impacts, and potential causes of the low dissolved oxygen concentrations occurring in Hood Canal.

Declares an intent to initiate a process for university students to interview tribal elders and others who have knowledge of the history of conditions along Hood Canal to collect information regarding the history and impacts of Hood Canal's low dissolved oxygen concentrations.

Declares an intent that these interviews and the information learned be preserved as part of the state's oral history program.

Directs The Evergreen State College to administer and conduct a program to record and document oral histories of tribal elders of the tribes in the area surrounding Hood Canal and other long-term residents of the Hood Canal area who have similar knowledge of the history of the conditions along Hood Canal. The purpose of these interviews is to collect information and perspectives regarding the history of the conditions along Hood Canal, including but not limited to reports of fish kills, changes in marine species behavior, fishing and harvesting histories, and other conditions related to the environmental health of Hood Canal.

Expires July 1, 2008.

**-- 2005 REGULAR SESSION --**

- Feb 24 HOOD - Majority; 1st substitute bill be substituted, do pass.
- Mar 1 Passed to Rules Committee for second reading.
- Mar 2 Made eligible to be placed on second reading.
- Mar 7 Placed on second reading by Rules Committee.
- Mar 11 1st substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed: yeas, 94; nays, 0; absent, 4.

**- IN THE SENATE -**

- Mar 15 First reading, referred to Early Learning, K-12 & Higher Education.
- Mar 18 E K H E - Majority; without recommendation.

And refer to Government Operations & Elections.

Referred to Government Operations & Elections.

**HB 2097-S** by House Committee on Select Committee on Hood Canal (originally sponsored by Representatives Eickmeyer, Upthegrove, Hunt, B. Sullivan, Chase, Ericks, McCoy, Hunter, Pettigrew and Appleton)

Establishing a management program for Hood Canal rehabilitation.

(AS OF HOUSE 2ND READING 3/11/05)

Finds that significant research, monitoring, and study efforts are currently occurring regarding Hood Canal's low-dissolved oxygen concentrations. The legislature recognizes that federal, state, tribal, and local governments and other organizations and entities are coordinating research, monitoring, and modeling efforts through the Hood Canal low-dissolved oxygen program.

Recognizes that these entities and others are continuing individual efforts to study and identify potential solutions for Hood Canal's low-dissolved oxygen concentrations. The legislature also recognizes numerous public, private, and community organizations are working to provide public education regarding Hood Canal's low-dissolved oxygen concentrations. The legislature recognizes and encourages the continuation of these efforts.

Authorizes the development of a program for rehabilitation of Hood Canal in Jefferson, Kitsap, and Mason counties within the aquatic rehabilitation zone one.

Designates the Puget Sound action team as the state lead agency for the rehabilitation program authorized in this act.

Designates the Hood Canal coordinating council as the local management board for the rehabilitation program authorized in this act.

Requires the local management board to report its progress on a quarterly basis to the legislative bodies of the participating counties and tribes and the participating state agencies. The local management board also shall submit an annual report describing its efforts and successes in implementing the program established according to this act to the appropriate committees of the legislature.

**-- 2005 REGULAR SESSION --**

- Mar 1 HOOD - Majority; 1st substitute bill be substituted, do pass.
- Mar 2 Passed to Rules Committee for second reading.
- Mar 7 Placed on second reading by Rules Committee.
- Mar 11 1st substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed: yeas, 58; nays, 36; absent, 4.

**- IN THE SENATE -**

- Mar 14 First reading, referred to Natural Resources, Ocean & Recreation.

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**Senate Bills**


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**SB 5089** by Senators Sheldon, Fraser and Kline

Limiting nuisance noise from off-road vehicles. (REVISED FOR ENGROSSED: Creating a task force to study off-road vehicle noise management.)

(AS OF SENATE 2ND READING 3/12/05)

Establishes a task force on off-road vehicle noise management.

Directs the committee to review the following issues:  
(1) The appropriateness and enforceability of current decibel requirements for off-road vehicles;

(2) The appropriateness of any off-road vehicle usage requirements that would minimize nuisance noise impacts on those not operating the off-road vehicle;

(3) The applicability and consistency of local ordinances concerning noise and off-road vehicle usage; and

(4) The availability of, and barriers to, using public lands or other large ownerships to create areas where off-road vehicles can be operated with minimum noise disturbance of neighbors.

Requires the committee to report its findings and recommendations in the form of draft legislation to the legislature by December 1, 2005.

Expires July 1, 2006.

**-- 2005 REGULAR SESSION --**

Jan 13 First reading, referred to Water, Energy & Environment.

Feb 10 WEE - Majority; do pass.  
Passed to Rules Committee for second reading.

Mar 10 Placed on second reading by Rules Committee.

Mar 12 Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 44; nays, 4; absent, 1.

**- IN THE HOUSE -**

Mar 15 First reading, referred to Natural Resources, Ecology & Parks.

**SB 5110** by Senators Rockefeller and Oke

Including four public port districts on the executive board of regional transportation planning organizations. (REVISED FOR ENGROSSED: Including four public port districts on the executive board of regional transportation planning organizations and lowering the population threshold.)

(AS OF SENATE 2ND READING 3/11/05)

Amends RCW 47.80.060 to add an additional port district member to the executive board of regional transportation planning organizations and lowers the population threshold.

**-- 2005 REGULAR SESSION --**

Jan 13 First reading, referred to Transportation.

Feb 22 TRAN - Majority; do pass.

Passed to Rules Committee for second reading.

Mar 1 Made eligible to be placed on second reading.

Mar 10 Placed on second reading by Rules Committee.

Mar 11 Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 47; nays, 2; absent, 0.

**- IN THE HOUSE -**

Mar 15 First reading, referred to Transportation.

**SB 5111-S2** by Senate Committee on Ways & Means (originally sponsored by Senators Morton, Poulsen, Parlette, Roach, Schmidt, Oke, Hewitt, Zarelli, Finkbeiner, Stevens, Swecker, Deccio, Honeyford, Mulliken, Kline and Sheldon)

Providing tax incentives for solar energy systems.

(AS OF SENATE 2ND READING 3/11/05)

Declares that it is of great concern that businesses in this industry have been increasingly expanding and relocating their operations elsewhere. The report indicates that additional incentives for the solar electric industry are needed in recognition of the unique forces and issues involved in business decisions in this industry.

Declares an intent to enact comprehensive tax incentives for the solar electric industry that address activities of the manufacture of these products and to encourage these industries to locate in counties with high unemployment.

**-- 2005 REGULAR SESSION --**

Mar 7 WM - Majority; 2nd substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 9 Made eligible to be placed on second reading.

Mar 10 Placed on second reading by Rules Committee.

Mar 11 2nd substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 48; nays, 0; absent, 1.

**- IN THE HOUSE -**

Mar 15 First reading, referred to Technology, Energy & Communications.

**SB 5186-S** by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Franklin, Kohl-Welles, Keiser, Rockefeller, Doumit, Kline, Regala, McAuliffe, Poulsen, Fraser and Jacobsen)

Increasing the physical activity of the citizens of Washington state.

(AS OF SENATE 2ND READING 3/11/05)

Finds that regular physical activity is essential to maintaining good health and reducing the rates of chronic disease.

Finds that providing opportunities for walking, biking, horseback riding, and other regular forms of exercise is best accomplished through collaboration between the private sector and local, state, and institutional policymakers. This collaboration can build communities where people find it easy and safe to be physically active.

Declares an intent to promote policy and planning efforts that increase access to inexpensive or free opportunities for regular exercise in all communities around the state.

Authorizes the health care authority, in coordination with the department of personnel, the department of health, health plans participating in public employees' benefits board programs, and the University of Washington's center for health promotion, to create a worksite health promotion program to develop and implement initiatives designed to increase physical activity and promote improved self-care and engagement in health care decision-making among state employees.

Requires the health care authority to report to the governor and the legislature by December 1, 2006, on progress in implementing, and evaluating the results of, the worksite health promotion program.

**-- 2005 REGULAR SESSION --**

- Mar 2 HEA - Majority; 1st substitute bill be substituted, do pass.  
Minority; do not pass.  
Minority; without recommendation.  
Passed to Rules Committee for second reading.
- Mar 7 Made eligible to be placed on second reading.
- Mar 9 Placed on second reading by Rules Committee.
- Mar 11 1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 49; nays, 0; absent, 0.

**- IN THE HOUSE -**

- Mar 15 First reading, referred to Health Care.

**SB 5581-S2** by Senate Committee on Ways & Means (originally sponsored by Senators Brown, Finkbeiner, Kohl-Welles, Rasmussen, Prentice, Hewitt, Fairley, Esser, Doumit, Keiser, Haugen, McAuliffe and Shin; by request of Governor Gregoire)

Establishing the life sciences discovery fund. Revised for 2nd Substitute: Establishing the life sciences discovery fund. (REVISED FOR ENGROSSED: Establishing the life sciences discovery fund authority.)

(AS OF SENATE 2ND READING 3/11/05)

Declares it to be a clear public purpose and governmental function to promote life sciences research to foster the next generation of health-related innovations, to enhance the competitive position of Washington state in this vital sector of the economy, and to improve the quality and delivery of health care for the people of Washington.

Declares that it is appropriate and consistent with the intent of the master settlement agreement between the state and tobacco product manufacturers to invest a portion of the revenues derived therefrom by the state in life sciences research, to leverage the revenues with other funds, and to encourage cooperation and innovation among public and private institutions involved in life sciences research.

Declares that the purpose of this act is to establish a life sciences discovery fund authority, to grant that authority the power to contract with the state to receive revenues under the master settlement agreement, and to contract with other entities to receive other funds, and to disburse those funds consistent with the purpose of this act.

Declares that the life sciences discovery fund is intended to promote the best available research in life sciences disciplines through diverse Washington institutions and to foster improved health care outcomes across this state and the world. The research investments of the life sciences discovery fund are intended to further the goals of the "Bio 21" report and to support future statewide, comprehensive strategies to lead the nation in life sciences-related research and employment.

Provides that: (1) No person shall knowingly clone a human being, participate in cloning a human being, or attempt to clone a human being.

(2) No person shall knowingly use public funds to clone a human being or to attempt to clone a human being.

(3) No person shall knowingly use public facilities to clone a human being or to attempt to clone a human being.

(4) No public employee shall knowingly allow any person to clone a human being or to attempt to clone a human being while the person is making use of public funds or public facilities.

(5) Any person who violates any of the provisions of this act is guilty of a class B felony.

**-- 2005 REGULAR SESSION --**

- Mar 7 WM - Majority; 2nd substitute bill be substituted, do pass.  
Minority; without recommendation.  
Passed to Rules Committee for second reading.
- Mar 9 Placed on second reading by Rules Committee.
- Mar 11 2nd substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 45; nays, 4; absent, 0.

**- IN THE HOUSE -**

- Mar 15 First reading, referred to Technology, Energy & Communications.

**SB 5966** by Senators McCaslin, Haugen and Honeyford

Prohibiting vehicle immobilization.

(AS OF SENATE 2ND READING 3/12/05)

Provides that a new section is added to chapter 46.55 RCW, to be codified between RCW 46.55.240 and 46.55.900, to read as follows: (1) A property owner shall not immobilize any vehicle owned by a person other than the property owner.

(2) Does not apply to property owned by the state or any unit of local government.

(3) A violation of this act is a gross misdemeanor.

Declares that "immobilize" means the use of a locking wheel boot that, when attached to the wheel of a vehicle, prevents the vehicle from moving without damage to the tire to which the locking wheel boot is attached.

**-- 2005 REGULAR SESSION --**

Feb 17 First reading, referred to Transportation.  
 Mar 7 TRAN - Majority; do pass.  
 Passed to Rules Committee for second reading.  
 Mar 10 Made eligible to be placed on second reading.  
 Mar 11 Placed on second reading by Rules Committee.  
 Mar 12 Floor amendment(s) adopted.  
 Rules suspended. Placed on Third Reading.  
 Third reading, passed: yeas, 46; nays, 0; absent, 3.

**- IN THE HOUSE -**

Mar 15 First reading, referred to Transportation.

**SB 6090** by Senators Prentice and Zarelli; by request of Governor Gregoire

Making 2005-07 operating appropriations.  
 Makes 2005-07 operating appropriations.

**-- 2005 REGULAR SESSION --**

Mar 22 First reading, referred to Ways & Means.

**SB 6091** by Senators Haugen and Swecker; by request of Governor Gregoire

Making 2005-07 transportation appropriations.  
 Makes 2005-07 transportation appropriations.

**-- 2005 REGULAR SESSION --**

Mar 22 First reading, referred to Transportation.

**SB 6092** by Senators Poulsen, Morton, Prentice and Fraser; by request of Governor Gregoire

Responding to the statewide drought emergency.

Appropriates the sum of one million eight hundred thousand dollars for the fiscal year ending June 30, 2005, from the state general fund for deposit in the state emergency water projects revolving account.

Appropriates the sum of one million eight hundred thousand dollars for the fiscal year ending June 30, 2005, from the state emergency water projects revolving account to the department of ecology for the costs incurred by the department of ecology in taking action pursuant to the declaration of a statewide drought emergency.

Appropriates the sum of two hundred thousand dollars for the fiscal year ending June 30, 2005, from the state general fund to the department of natural resources for the costs incurred by the department of natural resources to be able to activate fire fighters to respond to the heightened risk of forest fires pursuant to the declaration of a statewide drought emergency.

Appropriates the sum of eight million two hundred thousand dollars for the fiscal year ending June 30, 2005, from the state taxable building construction account for deposit in the state drought preparedness account for project number 05-4-009.

Appropriates the sum of eight million two hundred thousand dollars for the fiscal year ending June 30, 2005, from the state drought preparedness account to the department of ecology for costs incurred in responding to the state drought emergency, for project number 05-4-009.

Declares that projects or measures for which funding or compensation will be provided must be connected with a water system, water source, or water body which is receiving, or has been projected to receive, less than seventy-five percent of normal water supply, as the result of natural drought conditions. This reduction in water supply must be such that it is causing, or will cause, undue hardship for the entities or fish or wildlife depending on the water supply.

**-- 2005 REGULAR SESSION --**

Mar 22 First reading, referred to Ways & Means.

**SB 6093** by Senators Fraser and Hewitt; by request of Office of Financial Management

Issuing general obligation bonds.

Authorizes the state finance committee to issue general obligation bonds of the state of Washington in the sum of one billion two hundred twenty-eight million dollars, or as much thereof as may be required, to finance these projects and all costs incidental thereto. Bonds authorized in this act may be sold at such price as the state finance committee shall determine. No bonds authorized in this act may be offered for sale without prior legislative appropriation of the net proceeds of the sale of the bonds.

Provides that the proceeds from the sale of the bonds authorized in this act shall be deposited in the state building construction account created by RCW 43.83.020. The proceeds shall be transferred as indicated.

**-- 2005 REGULAR SESSION --**

Mar 22 First reading, referred to Ways & Means.

**SB 6094** by Senators Fraser and Hewitt; by request of Governor Gregoire

Making appropriations and authorizing expenditures for capital improvements.

Makes appropriations and authorizes expenditures for capital improvements.

**-- 2005 REGULAR SESSION --**

Mar 22 First reading, referred to Ways & Means.

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**Senate Joint Memorials**

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**SJM 8022** by Senators Benton, Honeyford and  
Mulliken

Requesting Congress to pass the Nonresident Income Tax  
Freedom Act.

Requests Congress to pass the Nonresident Income Tax  
Freedom Act.

**-- 2005 REGULAR SESSION --**

Mar 22 First reading, referred to Ways & Means.